

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. All pending claims currently stand rejected. Applicants respectfully request reconsideration and withdrawal of the rejections presented in the outstanding Office Action.

On June 17, 2011, Applicants' representative conducted telephone interview with the Examiner. The claims were discussed generally. It was agreed that the rejections under 35 U.S.C. §112 should be withdrawn and that Applicants' representatives would be filing a formal, written response.

It should be noted that Applicants are not conceding in this application the claims amended herein are not patentable over the art cited by the Examiner, as the claim amendments are only presented for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants specifically state no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Rejections under 35 U.S.C. § 112

Claims 1-30 (though some are not currently pending) stand rejected under § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully disagree, noting that the claims find full support throughout the specification, particularly at p. 14, lines 1-16. As noted above, the Examiner has agreed that the claims

find full support in the original disclosure and that the § 112 rejections should be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 7-9, 24, 25 and 27-29 stand rejected under § 102(b) as being anticipated by Rowney et al. (U.S. Patent No. 5,987,140, hereinafter “Rowney”). Applicants respectfully disagree and request reconsideration and withdrawal of these rejections.

As the Examiner is no doubt aware, “...unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to provide prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102.” *Net MoneyIN Inc. v. VeriSign Inc.*, 545 F.3d 1359 (Fed. Cir. 2008). Applicants respectfully submit that the cited reference did not anticipate the claims.

As best understood, Rowney at the very least fails to teach or suggest “...wherein the user need only communicate with the certified trusted third party on the first network link to complete an entire transaction.” Claim 7. To the contrary, Rowney specifically teaches communications between users and merchants. *Rowney*, Abstract (stating: “Secure transmission of data is provided from a customer computer system to a merchant computer system...”); *see also* Col. 10, lines 5-6 (stating: “Customer computer system 120 is in communication with merchant computer system 130”). Accordingly, Applicants respectfully submit that Rowney cannot be fairly read to anticipate Applicants’ claims.

Rejections under 35 U.S.C. § 103

The remaining claims stand rejected under § 103(a) as being unpatentable over Rowney in some combination with other references of record. *Office Action*, pp. 7-12. Applicants respectfully disagree.

Applicants respectfully submit that Rowney does not teach what the Examiner cites it for, as above, and that no other reference of record accounts for this deficiency. Moreover, Applicants respectfully submit that Sirbu does not teach what the Examiner cites it for. The Examiner alleges that Sirbu teaches or suggests that the user and the merchant need not contact one another. Applicants respectfully submit that this is simply incorrect, and the Examiner is misconstruing the teachings of Sirbu regarding FIG. 4. For example, the abstract of this reference makes it clear that the user and merchant are in communication with one another. *Sirbu*, Abstract (stating: “The customer creates an electronic payment order containing information...The electronic payment order is transmitted to the merchant.”). Nothing in Sirbu at FIG. 4 (or accompanying text) teaches or suggests use of a trusted third party. Rather, Sirbu at FIG. 4 and accompanying text explicitly teaches direct communication between customer and merchant. Thus, Applicants respectfully submit that Sirbu cannot be fairly read as teaching or suggesting what the Examiner alleges.

Accordingly, Applicants respectfully submit that the claims are presently in condition for allowance.

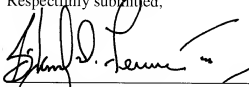
Amended Claims

Applicants have amended certain claims to correct minor informalities. Applicants respectfully submit that no new matter is entered.

Conclusion

In summary, it is respectfully submitted that the instant application is presently in condition for allowance. Notice to that effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Stanley D. Ference III
Registration No. 33,879

Customer No. 35195
FERENCE & ASSOCIATES LLC
409 Broad Street
Pittsburgh, Pennsylvania 15143
(412) 781-8400
(412) 781-9292 - Facsimile

Attorneys for Applicants